

British Colonies vol 10

E X T R A C T S

FROM THE

R E C O R D S

AT THE

E A S T I N D I A H O U S E,

O F

P R O C E E D I N G S

RELATIVE TO

MR. F R A N C I S F O W K E,

R E S I D E N T O F B E N A R E S.

IN THE APPOINTMENT AND RE-APPOINTMENT OF HIM
TO THAT RESIDENCY, AND HIS FIRST AND SECOND
RECALL FROM THENCE.

L O N D O N,

P R I N T E D I N M A R C H, 1782.



L I S T of P A P E R S.

- No. I. **E**XTRACT of the proceedings of the Governor General and Council in their Secret Department, Fort William, the 16th August 1775. Present, the Governor General, General Clavering, Colonel Monson, Mr. Barwell, and Mr. Francis. *First appointment of Mr. Francis Fowke to Benares.*
- No. II. Copy of the 10th paragraph of a Letter from the Governor General and Council in Bengal, in their Secret Department, to the Court of Directors of the East India Company, dated 11th September 1775. *Notification of the appointment of Mr. Francis Fowke to Benares.*
- No. III. Extract of Bengal Secret Consultations, the 2d December 1776. Present, the Governor General, General Clavering, Mr. Barwell, and Mr. Francis. *Recall of Mr. Francis Fowke from Benares.*
- No. IV. Extract of a Letter from General Clavering to the Court of Directors, dated 5th December 1776. *On the removal of Mr. Bristow from Oude, and Mr. Francis Fowke from Benares.*
- No. V. Copy of the 6th paragraph of the General Letter from Bengal, (secret department,) dated 22d December 1776. *Notification of the Recall of Mr. Francis Fowke from Benares.*

- No. VI. Extract of Bengal Secret Consultations, the 23d December 1776. Present, the Governor General, General Clavering, Mr. Barwell, and Mr. Francis. *Appointment of Mr. Thomas Graham to be Resident at Benares, and Mr. D. O. Barwell his Assistant.*
- No. VII. Copy of the 11th paragraph of the General Letter from Bengal (secret department) dated 6th January 1777, *Notification of the appointment of Messrs. T. Graham and D. O. Barwell as Resident and Assistant at Benares.*
- No. VIII. Copy of 65th, 66th, and 97th paragraphs of the Company's General Letter to Bengal, dated 30th January 1778, *reprehending that Government for the Recall of Mr. Francis Fowke from Benares, and their subsequent appointment of Messrs. T. Graham and D. O. Barwell to that Residency, and directing the immediate reinstatement of the former as Resident and Postmaster there.*
- No. IX. Extract of Bengal Public Consultations, the 20th July 1778. Present, the Governor General, and Messrs. Barwell, Francis, and Wheler. *Resolution to suspend the execution of the Company's orders with respect to Mr. Francis Fowke.*
- No. X. Copy of a Letter from Mr. Francis Fowke to the Secretary of the Superior Council in Bengal, dated 21st July 1778, *requesting to know if any and what proceedings had passed with respect to his reinstatement at Benares.*
- No. XI. Copy of a Letter from the Secretary of the Superior Council in Bengal to Mr. Francis Fowke, dated 29th July 1778, *enclosing, by order, copy of the resolution of the 20th.*
- No. XII. Copy of a Letter from Mr. Francis Fowke to the Governor General and Council in Bengal, dated 12th August 1778, *requesting to be informed if any accusation had been made against him, otherwise trusting that the Company's orders concerning him would be carried into execution.*
- No. XIII. Copy of the 25th paragraph of the General Letter from Bengal, (public department,) dated 17th August 1778, *notifying the suspension of the Company's orders with respect to Mr. Francis Fowke.*
- No.

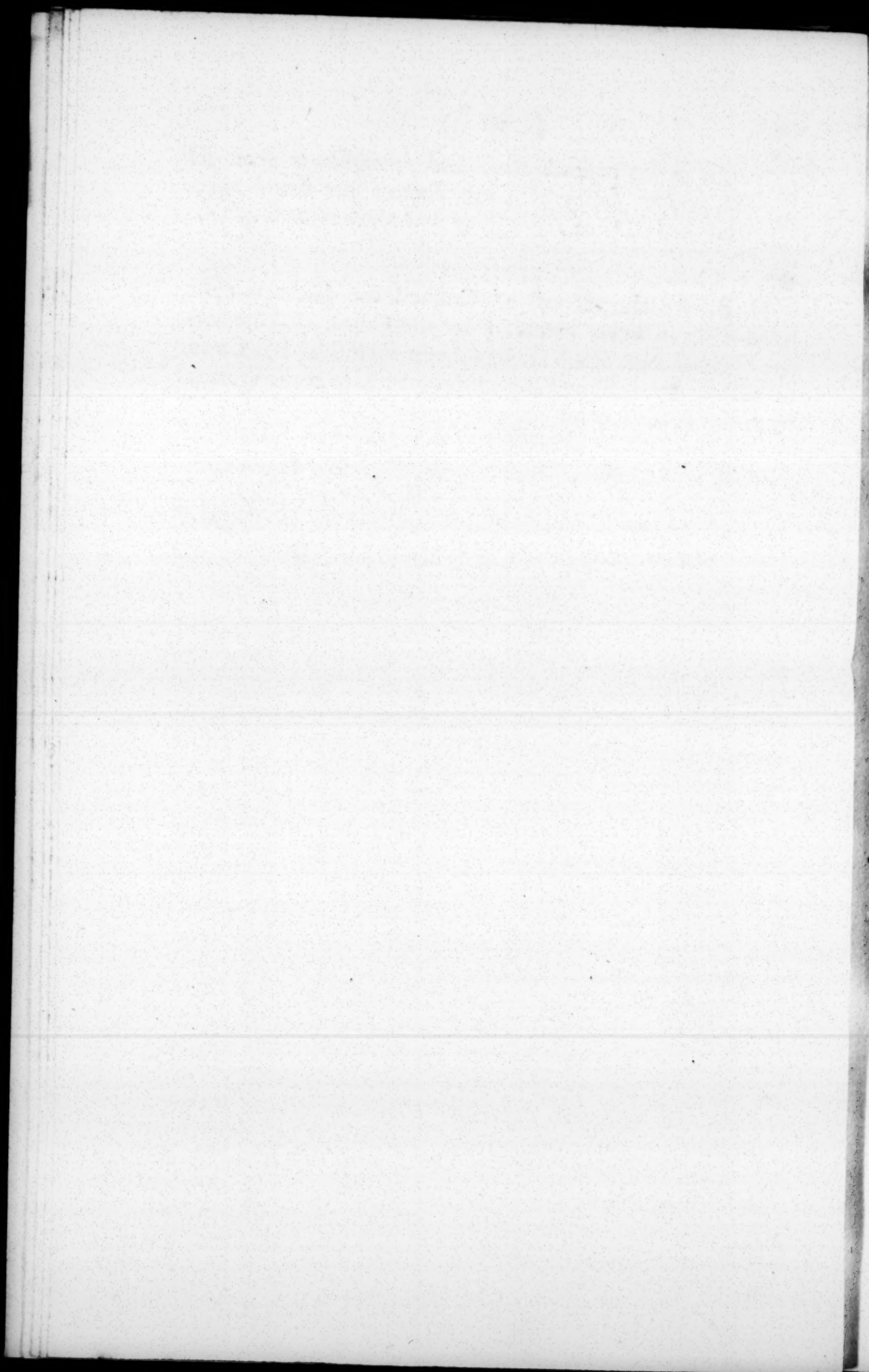
- No. XIV. Extract of Bengal Public Consultations, the 7th September 1778. Present, the Governor General, and Messrs. Barwell, Francis, and Wheler. *A motion to inform Mr. Francis Fowke that the board had no reason to be dissatisfied with his conduct, and that no charge had been preferred against him, negatived by the previous question.*
- No. XV. Extract of Bengal Public Consultations, the 1st of April 1779. Present, the Governor General, Messrs. Barwell, Francis, and Wheler, and Sir Eyre Coote. *Proceedings on a motion for reinstating Mr. Francis Fowke at Benares, agreeably to the Company's orders.*
- No. XVI. Extract of Bengal Public Consultations, the 5th April 1779. Present, the Governor General, Messrs. Barwell, Francis, and Wheler, and Sir Eyre Coote. *Continuation of proceedings on the motion of the 1st instant concerning Mr. Francis Fowke. The motion negatived.*
- No. XVII. Copy of the 12th paragraph of the General Letter from Bengal, dated 22d April 1779, *notifying that a motion in Council for reinstating Mr. Francis Fowke at Benares had been negatived.*
- No. XVIII. Copy of the 4th paragraph of the Company's General Letter to Bengal, dated 14th May 1779, *deferring, till receipt of the Bengal consultations, a decision on the suspension of their positive and peremptory orders relative to Mr. Francis Fowke.*
- No. XIX. Copy of the 40th paragraph of the Company's General Letter to Bengal, dated 27th May 1779, *strongly reprehending the disobedience to their commands relative to Mr. Francis Fowke, and again directing that they be carried into immediate execution.*
- No. XX. Extract of Bengal Public Consultations, the 17th February 1780. Present, the Governor General, and Messrs. Francis and Wheler, (Mr. Barwell indisposed). *Reinstatement of Mr. Francis Fowke at Benares.*
- No. XXI. Copy of the 46th paragraph of the General Letter from Bengal, dated 3d March 1780, *notifying the reinstatement of Mr. Francis Fowke at Benares.*

- No. XXII. Copy of an Address to the Court of Directors from Lieutenant Colonel Walsh, dated 2d January 1782, *representing the removal of his nephew Mr. Francis Fowke from the Residency of Benares, and praying that redress may be granted to him by the ships under dispatch.*
- No. XXIII. Extract of a General Letter from Bengal, dated 3d February 1781, received 4th January 1782, *notifying the Recall of Mr. Francis Fowke from Benares, and the appointment of Mr. Markham in his room; also Mr. Fowke's nomination to be Agent for the provision of boats to the army after the expiration of the present contract.*
- No. XXIV. Copy of an Address to the Court of Directors from Lieutenant Colonel John Walsh, dated 23d January 1782, *repeating his request for redress to be granted to Mr. Francis Fowke by the dispatches to Bengal then about to be closed.*
- No. XXV. Copy of a Letter from the Secretary of the Court of Directors to Lieutenant Colonel John Walsh, dated 29th January 1782, *informing him that his Addresses of the 2d and 23d instant were referred to the Committee of Correspondence, who had not yet come to any determination thereon.*
- No. XXVI. Copy of the 46th paragraph of the General Letter from Bengal (secret department) dated the 27th April 1781, received 5th February 1782, *notifying again the Recall of Mr. Francis Fowke from Benares, and appointment of him to be Agent for the provision of boats to the Army after the expiration of the present contract, also Mr. William Markham's appointment to that Residency.*
- No. XXVII. Extract of Bengal Secret Consultations, the 14th January 1781. Present, the Governor General and Mr. Wheler. *Recall of Mr. Francis Fowke from Benares and appointment of Mr. William Markham in his room, with Mr. Benn Assistant. Appointment of Mr. Francis Fowke to be Agent for providing boats for the Army after the expiration of Colonel Morgan's contract, with a commission of 15 per cent.*

cent. on his expenditures, and permission to draw for his present salary of 1000 Rupees per month to the time he enters on the Agency and three months after.

N. B. As the records of Council for January 1781, have not yet been received by the Court of Directors, the Extract No. XXVII. has been furnished by favour of Major John Scott, Agent for the Governor General in political Concerns.

N^o 28. Copy of the paragraph of the Company's General Letter to Bengal, dated the 28th August 1782; directing that M^r. Fouché do immediately resume his Station at Benares.



No. I.

Extract of the Proceedings of the Governor General and Council, in their Secret Department, Fort William, the 16th August, 1775. Present, the Governor General, General Clavering, Colonel Monson, Mr. Barwell, and Mr. Francis.

GENERAL Clavering moves, that a Company's servant be sent up to Benares, to carry with him the *Sunnuds* of investiture to the Raja from the Company, and to inform himself of the nature of the mint, the species of rupees that are coined in it, how much the person who farmed it paid to the Soubah of Oude, or to his ministers, in presents; as likewise with the nature of the cutwally, and what the advantages of it were to the person who farmed it; in order to make such a settlement with the Raja as may be equally advantageous to him and the Company.

Mr. Francis agrees to the motion.

Mr. Barwell. I looked upon the motion to be carried by the last resolution of the board, and that the choice of a person remains only to be determined. The Company, in the extra charges to which they have already been put, may have occasion to complain; and as œconomy and dispatch may be equally promoted, I beg leave to mention Colonel Main, the officer commanding at Chunar, as the most eligible person: little or no charges will be incurred by his just moving from Chunar to Benares; and, besides, he is the best qualified, from his local knowledge.

Colonel Monson agrees to the motion of General Clavering.

The Governor General objects to this motion.

Resolved, a covenanted servant be appointed to go to Benares, to take the *Sunnuds* of investiture to the Rajah, &c. also to make the investigations necessary to enable the board to come to a final settlement with the Rajah for that Zemindary.

General Clavering moves, that Mr. Francis Fowke be appointed to execute this service; a young man exceedingly well qualified, from his knowledge in the Persian tongue, and his unexceptionable good character.

Mr. Francis. I believe Mr. Francis Fowke to be perfectly qualified for the service proposed; and I agree to the motion.

Mr. Barwell. The unhappy differences that have prevailed at the board, the particular part which Mr. Joseph Fowke has acted since the commencement of the new government, the particular predicament in which he stands at present, I am sorry to observe, makes Mr. Francis Fowke, his son, the most improper nomination for a commission of this kind that could have been thought of; nor can I conceive why it should have been thought of, unless for the express purpose of lowering the Governor General in the eyes of the Raja of Benares, as well as of all India, by the selection of this gentleman. I have no other objection to Mr. Francis Fowke. Was it in my power I would serve him, but not at the expence, or in degradation of the first character of the state. I therefore wish that Mr. Francis Fowke's nomination may not be carried.

Colonel Monson. I do not comprehend Mr. Barwell's chain of reasoning, that the employing an unexceptionable Company's servant can be any degradation to the Governor General's consequence or honour, or lower his dignity in the eyes of the public: had Mr. Francis Fowke been an exceptionable character, there might have been some degree of justness in Mr. Barwell's observation; but, as Mr. Barwell himself declares he wishes to serve him, I do not comprehend why
he

he will not on this occasion testify to Mr. Fowke this inclination. I believe Mr. Fowke to be qualified for this appointment, and therefore approve of the nomination.

General Clavering is for his own nomination.

The Governor General. I am not surprized at the motion now before the board : I expected it at the time in which it was resolved, in contradiction to the former opinion of the board, to permit Mr. Joseph Fowke to return to Benares. I consider the present appointment as the appointment, not of Mr. Francis Fowke, but of Mr. Joseph Fowke, whose influence over his son will reduce the authority of the latter to a mere shadow ; I therefore disapprove of the motion ; I protest against it.

Agreed, that Mr. Francis Fowke be appointed to proceed to Benares, for the purposes already resolved on.

Ordered, that instructions be prepared for him accordingly, with a letter of credence to Raja Cheyt Sing.

No. II.

Extract of a Letter from the Governor General and Council in Bengal, in their Secret Department, to the Court of Directors of the East India Company, dated 11th September, 1775.

Par. 10. **I**N our Letter of the 3d August, of which you will receive a duplicate by this ship, you are advised of the acquisition of the territories of Raja Cheyt Sing to the Company, and of the steps which we had then taken towards settling with him for that Zemindary. On the 16th of that month we again took this subject into consideration, and called the Vakeel before us, who had received an answer from his master to our first offer ; but not being able to ascertain from him the fineness and quantity of the silver of the Gourshay Rupees, in which coin the tribute from the Rajah is to be paid, nor the exact amount which the late Farmers of the Mint and Cutwally at Benares, and the Cutwally at Juanpore,

pore, had paid annually to the Nabob and his Officers for the grant of those articles, we judged it necessary to appoint a person to proceed to Benares, to make fundry local investigations into these and other points, to enable us to come to a final adjustment with the Raja; and we accordingly appointed Mr. Francis Fowke. In the mean time, we agreed that the Raja should continue to pay at Benares the exact sum, and in the same species of rupees, as he had paid to the late and present Nabobs of Oude, that is to say, 23,72,656½ Gourshay rupees, exclusive of the Mint, Cutwally, and other articles, which the Nabob held in his own right.

No. III.

Extract of Bengal Secret Consultations, the 2d December, 1776. Present, the Governor General, General Clavering, Mr. Barwell, and Mr. Francis.

THE Governor General also moves, that Mr. Francis Fowke be recalled from Benares, and his commission annulled; the express purposes thereof having been accomplished.

Mr. Francis. I need not bring my opinion in writing upon either of these motions. To the first I make no objection; but as to the recal of Mr. Francis Fowke, I know no motive for it; on the contrary, I am satisfied that his presence at Benares has been of signal use in preventing the delays of the remittance of the tribute; and to my knowledge he has done nothing to incur the displeasure of the board; I cannot therefore consent to his recal.

Mr. Barwell. The express purposes to which Mr. Fowke was first appointed, were, the investiture of the Raja, and the settling a mode for the remittance of his tribute: his commission ceased the instant the object of it was

was accomplished, and Mr. Fowke ought then to have been remanded to Calcutta; he holds no appointment, and therefore it cannot properly be styled a removal. I assent therefore to Mr. Fowke's being called to the presidency.

General Clavering. In regard to the recal of Mr. Fowke, and the annulling of his office, I cannot help considering it as a vindictive measure, couched under the appearance of public service, and therefore dissent to the motion.

Governor General. I agree to the motion.

Resolved, that the motion proposed by the Governor General be carried in the affirmative.

The following letter is accordingly written to Mr. Fowke.

To Mr. Francis Fowke.

Sir,

The objects proposed by your appointment, to proceed to Benares, being now accomplished, we have thought it necessary to annul the commission which was given you for that purpose: We therefore direct that you return to this presidency immediately on receipt hereof.

We are, &c.

No. IV.

Extract of a Letter from General Clavering to the Court of Directors, dated 5th December, 1776.

THE restraint that I had laid on myself not to infringe further on the rules of the service than was necessary, for the explanation of my conduct in the part I am obliged to take, gives way again to the obligation I feel myself under, in the strict discharge of my duty, to acquaint you with some of the last transactions of the council after the departure of the Nassau, as their being undertaken precisely at that juncture seems calculated to conceal, as long as possible, the information of them from your notice.

The

The first subject is, the removal of Mr. Bristow from the post of Resident with the Vizier, and the re-appointment of Mr. Middleton. The next is, the recal of Mr. Francis Fowke from Benares.

Having annexed the entire consultation on both subjects, I will forbear to make any reflections on the proceedings, leaving it to your honourable board to decide, how far the good of your service has been consulted in removing two gentlemen, who have each distinguished themselves; the first, in obtaining for the Company an addition of thirty lacks a year to their former revenue; and the second, in re-establishing the coinage of Benares, by means of which the exact amount of the subsidy is ascertained, and then fixing the rate of the remittance on the most advantageous terms to the Company. As to Mr. Middleton's re-appointment, you yourselves, gentlemen, as well as the proprietors, are too much interested in the support of your own dignity, and too sensibly wounded in the step taken to restore him to an office from which he had been dismissed, after the solemn condemnation which you had given on his conduct for not submitting his correspondence to the supreme council, for me to mention and lay a stress on the little regard the chief of a council shews to the honour of a government over which he presides, to recommend a servant to fill any post till he has made the satisfaction required of him, not only to the government in which he serves, but to his masters and superiors, on whom he ultimately depends.

No. V.

Extract of the Secret General Letter from Bengal, dated 22d December, 1776.

Par. 6. **T**HE purposes for which Mr. Francis Fowke was appointed to proceed to Raja Cheyt Sing, at Benares, being now fully accomplished, we have annulled his commission, and ordered him to return to the presidency.

No. VI.

Extract of Bengal Secret Consultations, the 23d December, 1776. Present, the Governor General, General Clavering, Mr. Barwell, and Mr. Francis.

THE Governor General moves, that a civil servant of the Company be appointed to reside at Benares on the part of this government, for the purpose of transacting any occasional business which may arise between this government and the Raja of Benares; and that Mr. Thomas Graham may be nominated to this office, and Mr. Daniel Barwell to be his assistant.

Mr. Francis. If a civil servant was necessary for the purpose described in the motion, I conceive that Mr. Francis Fowke was perfectly well qualified for that office. I have no objection, however, to either of the gentlemen recommended by the Governor General.

Mr. Barwell agrees to the motion.

General Clavering. I object to it, and leave the responsibility of the measure with the Governor General, who must answer for it.

Resolved, that a civil servant of the Company be appointed to reside at Benares, on the part of this government, for the purpose of transacting any occasional business which may arise between this government and the Raja of Benares.

Agreed, that Mr. Thomas Graham be nominated to this office; and that Mr. Daniel Barwell be appointed his assistant.

No. VII.

Extract of the Secret General Letter from Bengal, dated 6th January, 1777.

Par. 11. WE have thought it proper to appoint a Company's servant to reside at Benares, for the purpose of transacting any occasional business that may arise between this government and Raja Cheyt Sing. This appointment has been given to Mr. Thomas Graham, and Mr. D. O. Barwell has been nominated his assistant.

*Extract of the Company's General Letter to Bengal, dated
30th January, 1778.*

Par. 65. **I**N your secret letter of the 19th of December, 1776, you inform us, that the purposes for which Mr. Francis Fowke was appointed to proceed to Benares being fully accomplished, you had annulled his commission, and ordered him to the presidency; but it appears by your letter of the 6th of January, 1777, that in less than twenty days you thought proper to appoint Mr. Thomas Graham to reside at Benares, and Mr. Daniel Octavus Barwell to be his assistant.

Par. 66. If it were possible to suppose that a saving to the Company had been your motive for annulling Mr. Fowke's commission, we should have approved your proceedings; but when we find two persons appointed immediately afterwards, with two salaries, to execute an office which had been filled with reputation by Mr. Fowke alone, and that Mr. Graham enjoys all the emoluments annexed to the office of Mr. Fowke, we must be of opinion, that Mr. Fowke was removed without just cause, to make room for Mr. Graham; and that the addition of Mr. Barwell's salary is a clear loss of three hundred rupees per month to the Company.

Par. 67. As it was not pretended that Mr. Fowke's conduct had been exceptionable, as he had executed with the greatest punctuality and exactness the like office to which you have now appointed Mr. Graham; and as the dissent of Mr. Francis, and the protest of General Clavering, on the occasion, had no effect, we think it proper to interfere; and therefore direct, that Mr. Francis Fowke be immediately reinstated in his office of Resident and Post-master at Benares; we however think proper to declare, that though we mean by this order to do an act of public justice, we by no means intend it as a mark of disapprobation of the conduct of Mr. Graham, whom we believe to be a very deserving servant of the Company.

No. IX.

Extract of Bengal Public Consultations, the 20th July, 1778. Present, the Governor General, and Messrs. Barwell, Francis, and Wheler.

READ the general letter, dated 30th January last, received from the Hon. the Court of Directors by the Grosvenor and Osterly.

Par. 65, 66, and 67. Governor General. I must request that the board will suspend the execution of this order. The spirit and intention of it is evident, and publicly known both in England and here. With these considerations in view, my consent to the recal of Mr. Graham would be adequate to my own resignation of the service, because it would inflict such a wound in my authority and influence, that I could not maintain it. In the course of a few days we may expect to hear of the resolutions which have been taken by our superiors, and of the appointments which have been made to fill the vacancy occasioned in this government, by the death of the late Sir John Clavering. These will be likewise decisive of my own situation in the service. I need not say more to urge the propriety of suspending the execution of this order of the Court of Directors. Mr. Thompson, in his letter from Marseilles, dated the 18th of April, mentions that a packet, containing the news of the General's death, had been dispatched to London from that port, from his Majesty's agent there, seven days before, and it is probable that the Swallow carried this intelligence earlier. We may therefore expect, that the Caranja, which was to depart from Suez immediately on receipt of the confirmation of the war, will bring us those decisive orders which I look for; and these may arrive to-morrow, or in the course of a very few days.

Mr. Francis. The Court of Directors order Mr. Francis Fowke to be *immediately* reinstated in his office.

To suspend the execution of such an order is to disobey it. In another part of the same letter (par. 41) they say, "We can on no account permit our orders to be disobeyed, and our authority disregarded." When the Company's orders to me are clear and positive, I do not deem myself at liberty to withhold my obedience to them on any consideration whatever; unless a new situation of affairs unknown to, and unforeseen by, the Court of Directors, should make it impracticable or dangerous to carry them into execution: I am therefore against the motion.

Mr. Wheler. I am of opinion that the order should be immediately carried into execution.

Mr. Barwell. While Mr. Hastings is in the government, the respect and dignity of his station should be supported. In these sentiments I must decline an acquiescence in any order which has a tendency to bring the government into disrepute; as the Company have the means and the power of forming their own administration in India, they may at their pleasure place whom they please at the head. But, in my opinion, they are not authorized to treat a person in that post with indignity.

Resolved, that the execution of this order be suspended.

Mr. Francis. I beg leave to enter my dissent to this resolution.

No. X.

Copy of a Letter from Mr. Francis Fowke to the Secretary of the Superior Council in Bengal.

To J. P. Auriol, Esq; Secretary to the Hon. the Superior Council.

Sir,

Calcutta, 21st July, 1778.

MY friends in England having transmitted to me a notification in form, which they have received, importing, that an order of the Honourable the Court of Directors, for my instant re-appointment to the post of

of Resident at Benares, was transmitted by the Grosvenor, and a considerable time being now elapsed since the receipt of the packet, I humbly request of the Honourable Board, that I may be informed of any resolutions which may have passed in consequence of the above order, and that I may be furnished with a copy of their proceedings upon the subject.

I am, Sir,
Your obedient humble servant,
FRANCIS FOWKE.

No. XI.

Copy of a Letter from the Secretary of the Superior Council, in Bengal, to Mr. Francis Fowke.

To Mr. Francis Fowke.

Sir,

IN consequence of your address to the Hon. the Governor General and Council, requesting to be informed of any resolutions which may have passed on the orders of the Court of Directors respecting you, and to be furnished with a copy of the proceedings upon the subject, I am directed to transmit you the enclosed extract of the consultation, 20th instant.

Council Chamber,
the 29th July, 1778.

I am, Sir,
Your most obedient servant,
J. P. AURIOL.

Extract of Consultation, 20th July, 1778.

Read the General Letter, dated the 30th January last, received from the Hon. the Court of Directors, by the Grosvenor and Osterly.

Par. 64, 65, 66, and 67. Resolved, that the execution of this order be suspended.

A true extract.

J. P. AURIOL, Secretary.

No. XII.

Copy of a Letter from Mr. Francis Fowke to the Governor General and Council in Bengal.

To the Hon. Warren Hastings, Esq; Governor General,
&c. Superior Council of Fort William,

Hon. Sirs,

I Acknowledge with great thankfulness your condescension, in conveying to me, through Mr. Secretary Auriol, the resolution you have passed to suspend the execution of the Company's order, dated 30th January, 1778, directing, that "Mr. Francis Fowke be immediately reinstated in his office of Resident and postmaster at Benares." By this indulgence I have an opportunity afforded me of humbly remonstrating against the severity of your sentence, which is nearly equal to dismissal from the service.

An order of the Court of Directors, made public only a few days ago, positively forbids any covenanted servant to return to England, under any pretence of obtaining redress there for injuries received here, without first making an appeal to them through the channel of the President and Council abroad. The existence of this order necessarily supposes that no covenanted servant can be dismissed or suspended from his offices in India without some previous trial, at least some charge or some accusation to which he may be suffered to reply. On any other supposition the Court of Directors can have no materials lying before them to conduct their judgment of his merits. I stand exactly in this predicament, and submit to your candour to determine whether the case be not a hard one. I see a simple resolution which suspends me from my offices, and am left to guess at the causes which influence it. In such a situation I cannot be free from anxiety. Conscious of my own innocence

nocence and integrity, I *will* hope that your justice will relieve me. If there are any accusations laid against me, let my accusers stand forth ; let me answer them face to face : I must believe there are some, because I am confident your justice would not permit me to be condemned on *no* grounds, however you might have mistaken them.

I am sensible that my situation obliges me to the most perfect submission to your orders ; yet, as my own honour, and that of my family, will not allow me to sit silent under a disgrace, it was a duty incumbent upon me to defend my reputation. In the offices I have filled, I have strictly adhered to my duty, and cannot charge myself with having ever been deficient in respect to my superiors. The same conduct I shall ever observe. If you find, on a candid examination, that the merit I lay claim to is my due, I trust that your Hon. Board will be pleased to carry into execution the Hon. the Court of Directors orders, for my immediate re-appointment to the offices of president and postmaster at Benares.

I remain, with the greatest respect,

Honourable Sir and Sirs,

Your most faithful

and most obedient servant,

FRANCIS FOWKE.

Calcutta,
22th August, 1778.

No. XIII.

Extract of the General Letter from Bengal, dated 17th August, 1778.

Par. 25. **W**E have resolved to suspend the execution of that part of your commands, dated 30th January last, which relate to Mr. Francis Fowke, and must beg leave to refer you to our records for the motives which swayed with us in this instance.

No

No. XIV.

Extract of Bengal Public Consultations, the 7th September, 1778. Present, the Governor General, and Messrs. Barwell, Francis, and Wheler.

READ a letter from Mr. Fowke. See No. XII.
 Mr. Francis. I move, that the Secretary may be directed to inform Mr. Francis Fowke, that the board have no reason to be dissatisfied with any part of his conduct in the Company's Service, and that no charge has been preferred against him to the board.

Mr. Wheler. I agree to the motion.

Mr. Barwell. The board having already denied to Mr. Fowke the satisfaction he required, by ordering simply the resolution of the board to be furnished by the Secretary, I move the previous question.

Mr. Wheler and Mr. Francis against the motion.

Governor General. I am for the previous question. All applications of this kind are irregular. The board are not accountable to Mr. Fowke for their resolution respecting him. The reasons for suspending the execution of the orders of the Court of Directors contain no charge, nor the slightest imputation of a charge, against Mr. Fowke; but I see no reason why the board should condescend to tell him so.

The previous question being carried,
 Resolved, that Mr. Francis's question be not put.

No. XV.

Extract of Bengal Public Consultations, the 1st April, 1779. Present, the Governor General, Messrs. Barwell, Francis, and Wheler, and Sir Eyre Coote.

MR. Francis. I move, that the 65th, 66th, and 67th paragraphs of the Company's general letter of the 30th January, 1778, and the proceedings of this board of the 20th July, 1778, be now read.

Read

Read the paragraphs 65, 66, and 67 of the general letter, dated the 30th January, 1778, and the proceedings of the 20th July, 1778.

Mr. Francis. I move, that the Company's orders, contained in the preceding paragraphs, be carried into execution; that Mr. Francis Fowke be immediately reinstated in his office of Resident and Post-master at Benares; and that Mr. Thomas Graham be ordered to deliver over charge of those offices forthwith to Mr. Francis Fowke.

Governor General. I have expected this motion, and I expect many more of a similar nature to be introduced by Mr. Francis, for the purpose of forcing the new member of this government to declare himself a party in disputes in which he has no concern, and in which I will venture to express my belief that it is not his wish to be involved. The order of the Company which has been read was addressed to this administration before Sir Eyre Coote was a member of it. It was also read, and a resolution passed upon it, before Sir Eyre Coote's appointment. I presume, therefore, to say, that it is irregularly brought before the board at this time. For though his voice may be now required, and may be given upon the motion, yet, as it respects the act of a former administration, and an act already done, the responsibility of that act rests only with those who constitutionally passed it, and ought not to be thrown upon him, unless he is desirous that it should be revised, and that he may participate in it. If our records are to undergo a new scrutiny, and every measure which they contain to be examined by the scale of the Company's orders, or by the judgment of the present administration, the time of the board will not suffice, even in a daily meeting of it, for so multiplied a research, and for the debates which must necessarily accompany it. If this retrospect is not to affect all the resolutions and all the measures of the passed government, on what principle is a selection made of a question which has its basis in a party distinction, and is determinable only by party principles. The resolution for suspending the execution of the Company's orders on the

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20th July, 1778, was notified to the Court of Directors in our dispatches by the Eagle packet, dated the 17th August. Their answer may be received, and ought to be expected, before the period which the Act of Parliament has prescribed for the duration of this government. To prevent their orders, by an intermediate decision of a point of such magnitude referred to them, is neither, in my judgment, consistent with the respect which is due to their authority, nor with the actual state of this government, already oppressed with difficulties which demand the strenuous and united exertion of all its powers, and which it tends to throw into utter confusion; and for what! Let the person who made the motion say, what is the object of it. Is the reinstatement, as it is called, of Mr. Francis Fowke to an office which he never held, of such weighty consequence to the interests of the East India Company, and of the British nation in India, that for this the first executive member of their first government must be treated with insult, and either keep his seat, to be a partaker of a scene of anarchy and confusion during the short but momentous interval which remains of the power which we unitedly hold, or leave it and a government embarrassed with new and perhaps greater distractions?

I desire that the paragraphs of the general letter and the extract of our proceedings, which have been read, may be entered after the first motion made by Mr. Francis. I most earnestly recommend them to the serious attention and reflection of the other members of this board, and to those of the Commander in Chief most especially. I hope that the decision on this question will not be precipitated; that the consequences of it may be weighed, before an act so critical and decisive be irrevocably passed. I came unprepared for it, not ignorant, indeed, that it would be brought on at an early time, for the public voice has loudly announced it; but I did not expect to be surprized with it on a day, and in a department, devoted to business, from which this is entirely foreign. I therefore hope and request that the other members will suspend their decision until the next meeting of the board in the general department.

Mr.

Mr. Francis. The present question does not properly lie between the Governor General and me, but between this board and that authority which the legislature has placed over us. The propriety of waiting for farther orders, when we have positive orders before us, may at any time be pleaded with equal reason as at present and may as easily defeat any future orders, however peremptory, in confirmation of the past, as those which we have already received. The personal appeal made to Sir Eyre Coote obliges me to take this opportunity of assuring him, that I will never bring any question of this nature forward, in which it will be possible for a member of this board to take part against me, without at the same time taking part against the Court of Directors. As for the rest, I shall content myself with saying, that the Governor General has formed a very erroneous judgment of my intentions.

If the public voice has already announced my design to introduce the present motion, it is a strong presumptive proof of the public expectation and, as I think, of their judgment upon the resolution which I propose to have reversed. As for myself, I declare upon my honour, and if there be that man living who can contradict me let him come forward, that I never did directly or indirectly, or by the most distant intimation, acquaint any person, not a member of this board, of my design to move the present question. As the Governor General expected it and as the question itself is of a very plain and simple nature, I think there is no ground for deferring the decision of it. At all events, I have done my duty and shall give the board no further trouble.

Sir Eyre Coote. Being called upon by my King and country to fill a post in this part of the world of the highest importance to the state, it was with the greatest diffidence I undertook that service, well knowing the great difficulties I had to encounter from the unfortunate differences which had arisen among the members of the Supreme Council. I therefore determined not to take a part in those differences, it being, in my opinion,

the surest method that I could devise of putting an end to them ; and conceiving that any kind of retrospect would prove fatal to my wishes, was determined to prevent them as much as lay in my power, by bringing forward no matter, the decision of which I was not immediately answerable for the consequences of ; paying at the same time implicit obedience to the orders of the Court of Directors, which I am determined to adhere to for my line of conduct. I agree to suspend the decision of the question till the next meeting of the Council in the general department.

Mr. Wheler. It cannot be considered precipitate in me to give an immediate opinion upon the present question, my sentiments being already recorded. I therefore, to prevent the implication of giving a hasty opinion, desire leave to record my further sentiments at this meeting of the board.

Mr. Barwell. I feel much concerned on the present occasion. The forcing on a question on a matter that has passed judgment, and which, if decided, must be a confirmation or reversion of that judgment, independent of the authority to which it is submitted, will, I fear, not tend to conciliate the differences of the board, which I flattered myself might have drawn to a period. The consequences are very obvious. I hope, however, the temper and moderation of Sir Eyre Coote will decide for terminating the distractions which have hitherto prevailed. It is with great pleasure I observe in the delivery of Sir Eyre's sentiments a resolution, so decidedly expressed, of consulting alone the honour and interests of the government and fixing our councils, if possible, to that particular point only. I am so well aware of the consequences to result from hastily deciding on an act of the administration, under the present change in its circumstances in the arrival of Sir Eyre Coote, that I entirely concur in the wish expressed by the Governor General to suspend the question.

Mr. Wheler. As the members of the board have not objected to my request of entering my opinion upon the
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main question, I beg leave to do it in the following words ; That, as I cannot discover, either in the minute entered by the Governor General, or in the 25th paragraph of our general letter to the Court of Directors of the 17th August by the Eagle packet, the shadow of an argument that can induce me to alter my former opinion, much less justify me in the disobedience of a positive order from the Court of Directors, I am for the question.

Resolved, that the decision of the question proposed by Mr. Francis be suspended until the next meeting of the board in this department.

No. XVI.

Extract of Bengal Public Consultations, the 5th April, 1779. Present, the Governor General, Messrs. Barwell, Francis, and Wheler, and Sir Eyre Coote.

MR Francis's motion, recorded in the last consultation, being now again taken into consideration, Lieutenant-General Sir Eyre Coote delivers in the following minute.

Since the last meeting of the board in this department, I have had time to reflect very maturely upon the nature and tendency of the question now depending.

In my former minute upon the subject, I declared the two ruling principles of my conduct to be, the desire of avoiding every kind of retrospect, and a firm resolution to pay an implicit obedience to the orders of the Company.

And however difficult it may seem to reconcile an adherence to both under the present circumstance, since, by passing an opinion on the question I should seem to swerve from the one, and by declining it to lose sight of the other, I yet flatter myself that the conduct which agrees with my own feelings will also meet with the approbation of this board.

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I declare therefore, that had I had the honour of a seat here at the time the Company's instructions respecting Mr. Fowke were received, I should certainly have joined most heartily with those gentlemen who were for putting them into immediate execution, as I shall ever do in regard to any future orders which may be given by the Company while I remain in the service. But as the whole of this transaction passed before my arrival, and as the result of the last proceedings thereupon now lies before the Directors for their ultimate decision, I desire to wave the giving any present opinion upon it and to reserve my vote till their orders are received, when I shall most assuredly give it in support of them.

Mr. Francis. The question is, whether a positive order of the Court of Directors shall or shall not be obeyed. I suppose it is hardly necessary for me to say what my opinion is: I act in conformity to it in giving my vote for the question.

Mr. Barwell. Mr. Francis must excuse me if I cannot receive the question as it stands explained by him: I apprehend no one who shall take the whole subject into his consideration will allow it to be so compendious. It is not a question on the Company's orders. However, I am willing to suppress the reflections that arise in my mind to the harmony of our future councils. I am against the question.

The Governor General. It is unnecessary to express my further sense of the question, or the manner in which it has been concluded; I shall therefore only say that I am against the question.

Mr. Francis's question resolved in the negative.

Mr. Francis. I beg leave to enter my dissent and protest against the resolution.

No. XVII.

*Extract of the General Letter from Bengal, dated the
22d April 1779.*

Par. 12. **A** Motion was made at one of our meetings, that the orders contained in the 65th, 66th, and 67th paragraphs of your general letter of the 30th January 1778, should be carried into execution: The question was resolved in the negative; and we beg leave to refer you to our proceedings on this subject for your more particular information.

No. XVIII.

*Extract of the Company's General Letter to Bengal, dated
14th May, 1779.*

Par. 4. **I**N answer to the 25th paragraph of your letter of the 17th August last, respecting the appointment we assigned to Mr. Francis Fowke, we only remark, that as the consultations are not yet before us, we must defer our decision on the subject and hope the reasons which swayed you, so far as to induce you to suspend the execution of a positive and peremptory order of the Court of Directors, will be found sufficient to justify your conduct on that extraordinary occasion.

No. XIX.

*Extract of the Company's General Letter to Bengal, dated
27th May, 1779.*

Par. 40. **W**E have read with astonishment your formal resolution to suspend the execution of our orders relative to Mr. Francis Fowke; your proceedings at large are now before us; we shall take such measures

measures as appear necessary for preserving the authority of the Court of Directors and for preventing such instances of direct and wilful disobedience in our servants in time to come. At present we repeat the commands contained in the 67th paragraph of our letter of the 30th of January 1778, and direct that they be carried into immediate execution.

No. XX.

Extract of Bengal Public Consultations, the 27th February 1780. Present, the Governor General, and Messrs. Francis and Wheler. Mr. Barwell indisposed.

READ the 40th paragraph of the general letter from the Hon. the Court of Directors, dated 27th May 1779.

Agreed, that Mr. Francis Fowke be appointed Resident at Benares, in conformity to the intention of the Court of Directors; and that Mr. Thomas Graham be directed to deliver over the charge of that office to him on his arrival there.

No. XXI.

Extract of the General Letter from Bengal, dated 3d March, 1780.

Par. 46. **W**E have the honour to acquaint you, that in conformity to your last commands of the 27th May 1779, Mr. Francis Fowke has been appointed Resident at Benares, and Mr. Thomas Graham recalled from the station.

No. XXII.

Copy of an Address to the Court of Directors from Lieutenant Colonel John Walsh.

To the Hon. the Court of Directors of the United
East India Company.

East India House, 2d January 1782.

Honourable,

I Yesterday received a letter from Calcutta, informing me that my nephew Francis Fowke was, on the 12th January 1781, again dismissed from his office at Benares, to which he had, not quite a twelvemonth before, returned in consequence of your own express orders, but which were not permitted to take place till reiterated in the strongest terms; that his assistant Mr. Markham, certainly a most unexceptionable young gentleman and I believe by no one more esteemed than by my nephew, was nominated in his room; and that the reversion of the Agency for supplying the army with boats was intended for him, but as this agency could not take place till the September following, he would be permitted to draw for his usual salary at Benares of 1000 rupees a month to that time and three months after. Lest the favourable terms in which, as I understand, he is mentioned in the very minutes, by which he is removed from Benares, should induce your Honors to suppose that he had acquiesced in the measure, I have to assure you from his nearest relations in Calcutta, to whose knowledge it had come, that they consider it as a severe injury and a great misfortune. I am informed that the public advices from Bengal do not reach to the time of this transaction, but I must nevertheless entreat, as I can produce indubitable proofs of its existence, that the present dispatch to India may convey redress to a
Servant,

Servant, I will presume to say of Merit, deprived of the office which you yourselves expressly and repeatedly have confirmed to him.

I have the honour to be with Respect,
Honourable,

Your most obedient,
and most humble servant,

JOHN WALSH.

No. XXIII.

Extract of a Letter from the Governor General and Council to the Court of Directors, dated 3d February 1781, received 4th January 1782.

MR. Francis Fowke recalled from Benares and appointed Agent for the provision of boats to the army after the expiration of the present contract. Mr. Markham appointed Resident at Benares.

No. XXIV.

Copy of an Address to the Court of Directors from Lieutenant Colonel John Walsh.

To the Hon. the Court of Directors of the United East India Company.

Chesterfield-street, 23d January 1782.

Honourable,

AS the public advices to Bengal by the ships now under dispatch are on the point of being closed, I humbly request to know if my letter of the 2d instant, concerning the Recal of my nephew Francis Fowke from Benares, has been taken into consideration; and whether

whether any and what redress your Honours have been pleased to order by this dispatch to be made to him, on account of his removal from an office, to which he was appointed by express orders from the Court of Directors, dated 30th January 1778; the execution, however, of which the government of Bengal thought proper to suspend, on different pleas at different times, yet none impeaching the merit of Mr. Francis Fowke, until the arrival of reiterated commands from you, dated 27th May 1779, when he was permitted to proceed to Benares, according to your appointment. This was something more than a year and a half after the receipt of your first orders for his immediate re-instatement as Resident there, and more than three years after his first Recal from thence; all which time he was detained in Calcutta without employ, without appointments, without any recompence, not even the salary of his office made good to him. Whatever hope may be entertained of exacter obedience to the orders which you may be induced to give on this occasion to the government of Bengal, I cannot avoid, as guardian to the just rights of my nephew, requesting the interference of the Court of Directors in like manner as it was formerly granted by them, when the injustice of his first removal from Benares appeared manifest to them. A public letter from the government of Bengal, dated 3d February 1781, lately received, contains official information of his fresh Recal from Benares, and nomination to be Agent for the provision of boats to the army after the expiration of the present contract; also of Mr. Markham's appointment to be the Resident in his room. If it is not evident on the face of this measure that it is arbitrary, in violation of your own appointment, and of serious detriment to both the character and fortune of Mr. Francis Fowke; if it is not evident that he could not have consented to be deprived of a public honourable charge appointed by yourselves, for the promise of a private, obscure, and precarious office, unattended even with the lure of pecuniary advantage, the most convincing documents to demonstrate it may be produced; but as Major John

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Scott,

Scott, lately arrived from Bengal, and acting here in behalf of the Governor General in his private concerns, did both converse and correspond with Mr. Francis Fowke on this subject, he can, and I doubt not but he readily will, satisfy your honourable Court, that these measures were taken without the consent of Mr. Francis Fowke. It is equally evident, that public necessity was not the ground for the removal of Mr. Francis Fowke, for what public benefit could arise from displacing a senior servant, promoted to the office for his knowledge in the Persian tongue and unexceptionable good character, and remarked by the Court of Directors to have executed it with the greatest punctuality and exactness, and putting in his room a junior servant, of whose age, time of service, experience in the affairs of Benares, and knowledge of the Oriental languages, you cannot but be well informed. Even the wretched plea of party necessity could not be urged at the time for the measure; for it is well known that when it took place, two parties did not exist in Bengal.

On these considerations your honourable Court cannot but see pressing reasons for giving substantial and early redress to an aggrieved servant, suffering in contempt of your own orders.

I have the honour to be with Respect,
Honourable,

Your most obedient,
and most humble servant,

JOHN WALSH.

No. XXV.

Copy of a Letter from the Secretary of the Court of Directors to Lieutenant Colonel John Walsh.

Sir,

I AM ordered by the Court of Directors of the East India Company to acquaint you that the two letters you addressed the Court, dated the 2d and 23d instant, are

are referred to the Committee of Correspondence, and that the said Committee have not yet come to any determination thereon.

East India House,
29th January 1782.

I am, Sir,
Your obedient humble servant,
P. MICHELL, Sec.

Lieut. Colonel John Walfsh.

No. XXVI.

Extract of the Secret General Letter from Bengal, dated 27th April 1781, received by the Bellmont, 5th February 1782.

Par. 46. **M**R. Francis Fowke having been recalled from his residency at Benares, and appointed Agent for the provision of boats to the army after the expiration of the present contract, We have appointed Mr. William Markham to that Residency.

No. XXVII.

Extract from Bengal Secret Consultations, furnished by favour of Major John Scott, the original Records not having hitherto reached the India House.

Consultation, 14th January 1781.

GOVERNOR General. While this government is charged with such extensive concerns, and hath to contend with difficulties equal perhaps to those in which even the supreme administration of the British empire is at this moment involved, it may at least claim as a right which, under any other system of government

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that hath ever yet existed, would be conferred on it as an indispensible obligation, to employ and exercise the powers which are inherent in its constitution, and which are immediately necessary to the support, and eventually to the existence, of those essential interests which it holds in charge. On this principle I claim the right of nominating the Agent of my own choice to the Residency of Benares: it is a representative station and cannot, without a contradiction, be the charge of a man not preferably chosen to it by the members of the actual government, and holding it by an authority independent of theirs. Speaking for myself alone, it may be sufficient to affirm that Mr. Francis Fowke is not my agent; that I cannot give him my confidence; that while he continues at Benares he stands as a screen between the Raja and this government, instead of an instrument of controul; and that the Raja himself, and every chief in Indostan, will regard it as the pledge and foundation of his independence.

To Mr. Fowke himself I have no personal objection. I approve his conduct and esteem his character; and I believe I might depend upon his exact and literal obedience and fidelity in the execution of the functions annexed to it. My objection is stated above, and it is insuperable.

The person whom I have chosen to succeed him I consider as standing in the same degree of confidence and estimation with Mr. Wheeler as myself. I adopted him (if I may so express myself) from his family and patronage, and assigned him an office of the highest trust near my own person with Mr. Wheeler's approbation; and from a foresight of the event which has since made us the copartners of this government, and which suggested to me the propriety of employing such Agents as would be agreeable to him while they possessed the other requisites for my own confidence.

I therefore think him on every consideration the fittest to fill the office in question. I therefore move that Mr. Francis Fowke be immediately removed from the Residency of Benares, and that Mr. Markham may be appointed to it in his stead.

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While I thus acquit myself of what I conceive to be a public duty, it is my desire at the same time to indemnify Mr. Fowke from the consequences personally attending it towards him. I therefore move that he be at the same time invested with the appointment of Agent for all boats to be employed for the military service of this establishment, with an allowance of a commission of 15 per cent. upon all his disbursements in this office; that the executive charge thereof take place from the period of the expiration of Colonel Morgan's present contract, and that till that time and for three months following it, he be allowed to draw his present allowance of 1000 Rupees per month.

I propose this method in preference to a contract, because I am convinced from experience that the service will be better performed by this alteration, although it is liable to one material objection in its natural influence in his expences. This is a defect which can only be corrected by the probity of the person who is intrusted with so important a charge; and I am willing to have it understood as a proof of the confidence which I repose in Mr. Fowke, that I have proposed his appointment, in opposition to a general principle, to a trust so constituted.

Mr. Wheler. I accede to the propriety of the Governor General's arguments, and think them particularly applicable to the present state of this government. I am also highly flattered by the choice the Governor General has made of a Gentleman to fill this important station, who was formerly under my patronage, and who is still in my confidence. But as Mr. Fowke has not yet signified his willingness to accept of the compensation proposed to him in exchange for his present appointment, I must decline giving my assent to his immediate removal.

The Governor General's motion being agreed to, Resolved, that Mr. William Markham be accordingly appointed Resident at Benares, and Mr. Benn his assistant. Resolved, that Mr. Francis Fowke be invested with the appointment of Agent for the provision of all boats to be employed for the military services of this establishment,

ment, with an allowance of a commission of 15 per cent. upon all his disbursements in this office, the executive charge of which is to take place from the period of the expiration of Colonel Morgan's contract, and that to that time, and for three months following it, he be permitted to draw the present allowance of 1000 Rupees per month.

Extract of the Company's General Letter to Bengal,
dated the 28th August 1782.

Your Proceedings respecting Mr. Francis Lowhe
are really surprizing to us, Mr. Lowhe's first appointment
to be Resident at Benares was in August 1775, He was
recalled from thence in December 1776, and Mr. Graham
appointed to succeed him. Our Orders however of the 30th
January 1778 were positive for his restoration, but they
were rendered ineffectual by your Resolution, in July
1778, to suspend the execution of them. In May 1779 we
repeated the Orders respecting Mr. Lowhe, and in consequence
thereof, Mr. Lowhe was again appointed to proceed to
Benares. But judge of our astonishment to find that in
January 1781, in contempt of our authority, Mr. Lowhe
was once more removed from his Station at Benares, so far
from a Charge having been brought against him, on which
ground alone his removal could be justified, we find
his conduct approved and his character esteemed, and in
view of the Station from which he is thus removed another
positive Order of the Company was broken through, by his
being appointed Agent for the provision of Boats to be
employed

employed for the Military Service of your Establishment,
with a Commission of 15 Percent upon his Disbursements,
and an Allowance given him of Rupees 1000 per Month
until the expiration of the then subsisting Boat Contract.

Without meaning to disapprove of the conduct of
Mr. Markham, who was appointed to succeed Mr. Towhe
at Benares, but merely to vindicate the authority of
the Court of Directors, we hereby direct that Mr. Towhe do
immediately resume his Station at Benares. As to the
Boat Agency, that Appointment must be immediately
annulled, and the business performed by Contract, in
the manner repeatedly laid down for your guidance.

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